

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ERIE COUNTY ENVIRONMENTAL COALITION, et. al., Plaintiffs)	
)	
)	
v.)	CIVIL ACTION NO. 05-59 ERIE
		ELECTRONICALLY FILED
MILLCREEK TOWNSHIP SEWER AUTHORITY, et. al., Defendants)	
)	
)	

**PLAINTIFFS' MOTION TO STRIKE
MILLCREEK'S SUR-REPLY BRIEF IN RESPONSE TO SUPPLEMENTAL
PLAINTIFFS' REPLY TO DEFENDANTS' SUPPLEMENTAL BRIEF IN OPPOSITION
TO PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT**

Plaintiffs Erie County Environmental Coalition, PennEnvironment, and Gaia Defense League (collectively known as "Plaintiffs") hereby move the Court for the reasons set forth in the Memorandum accompanying this motion, to strike Millcreek's "Sur-reply Brief in Response to Supplemental Plaintiffs' Reply to Defendants' Supplemental Brief in Opposition to Plaintiffs' Motion For Summary Judgment" and accompanying exhibit, filed by Defendants Millcreek Township Sewer Authority, et al. ("Millcreek") on April 27, 2007 ("Millcreek's Sur- Reply").

Respectfully submitted,

s/ Jennifer A. Murphy
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CERTIFICATE OF SERVICE

I hereby certify that I filed the foregoing document by electronic means utilizing the Court's CM/ECF system that will serve notice of electronic filing to Mark J. Shaw, Esq., McDonald, Illig, Jones & Britton, LLP, Attorney for Defendants on this 1st day of May, 2007.

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